

Joseph H. Harrington
United States Attorney
Eastern District of Washington
Thomas J. Hanlon
Assistant United States Attorney
402 E. Yakima Ave., Suite 210
Yakima, WA 98901
Telephone: (509) 454-4425

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,)	NO: 1:18-CR-02023-SAB-2
)	
Plaintiff,)	
vs.)	PLAINTIFF'S SENTENCING
)	MEMORANDUM
GEORGE SKYHAWK THOMPSON,)	
)	
Defendant.)	

Plaintiff, United States of America, by and through Joseph H. Harrington,
United States Attorney for the Eastern District of Washington, and Thomas J.
Hanlon, Assistant United States Attorney, submits the following sentencing
memorandum:

I.

BASE OFFENSE LEVEL AND ENHANCEMENTS

The government believes that the Total Offense Level is 35; Criminal History Category I, with a guideline imprisonment range of 168-210 months.

II.

SENTENCING FACTORS UNDER 18 U.S.C. §3553(a)

“The overarching statutory charge for a district court is to “impose a sentence sufficient, but not greater than necessary” to reflect the seriousness of the offense, promote respect for the law, and provide just punishment; to afford adequate deterrence; to protect the public; and to provide the defendant with needed educational or vocational training, medical care, or other corrections treatment.” *United States v. Carty*, 520 F.3d 984, 991 (9th Cir. 2008)(en banc)(quoting 18 U.S.C. § 3553(a) and (a)(2)). “The touchstone of ‘reasonableness’ is whether the record as a whole reflects rational and meaningful consideration of the factors enumerated in 18 U.S.C. § 3553(a).” *United States v. Ressam*, 679 F.3d 1069, 1089 (9th Cir. 2012)(quoting *United States v. Tomko*, 562 F.3d 558, 568 (3d Cir. 2009)(en banc).

1 1. The nature and circumstances of the offense and the history and
2 characteristics of Defendant.

3 In late March 2016, Felina Metsker (“Metsker”) was murdered. Metsker had
4 previously been in a romantic relationship with Donovan Culps (“Donavan”).

5 On April 1, 2016, Special Agent P. Orth (“Agent Orth”) of the Federal
6 Bureau of Investigation (“FBI”) and Detective T. Beebe (“Detective Beebe”) of the
7 Yakama Nation Police Department discovered the crime scene. Due to their
8 observations, it appeared that someone had been shot inside of Metsker’s
9 residence. Furthermore, it appeared that the body had been dragged out of the
10 residence. Metsker’s remains were later discovered in a desolate area near 17500
11 Fort Road, White Swan, Washington.
12

13 As the investigation progressed, George Skylar Cloud and Neil Cloud were
14 identified as suspects in the murder. Donovan arrived at the crime scene after
15 Metsker had been murdered, but before her body was removed. At that time,
16 Donovan did not report the crime to law enforcement.
17

18 On April 9, 2016, George Cloud was arrested for an unrelated matter and
19 placed in the Yakama Nation jail¹.
20

21 On April 17, 2016, Officer Quantrell of the YNPD attempted to stop a
22 vehicle due to a missing license plate. The suspect vehicle attempted to elude
23 police at speeds up to 90 MPH. The driver of the suspect vehicle lost control and
24

25

26 ¹ Cloud has been in tribal, state, and/or federal confinement since April 9, 2016.
27

1 crashed into a pole. Donovan was identified as the driver. Donovan attempted to
2 run away. After a short struggle, Donovan was apprehended. Donovan later
3 admitted that he had thrown a gun during the foot chase. A firearm was
4 subsequently located and seized. Donovan was placed in the Yakama Nation jail.²
5 In late April 2016, while in the Tribal jail, George Cloud allegedly confessed to
6 Donovan that he had murdered Metsker. Donovan physically assaulted Cloud after
7 hearing the confession.
8

9
10 In August 2017, Tara Cloud contacted the YNPD and reported that Neil
11 Cloud (“Neil”) was missing. Tara Cloud was aware of rumors that Neil had been
12 murdered due to his involvement in the murder of Metsker.
13

14
15 On or about September 2017, Donovan murdered a male in Cheney,
16 Washington. Donovan was subsequently apprehended and confessed to the
17 murder. Donovan later confessed that he had murdered Neil. Donovan disclosed
18 the area where he had dumped the victim’s body.
19

20 On September 18, 2017, a detective with the YNPD found Neil’s
21 decomposed body.
22

23 As the investigation progressed, Special Agent J. Terami (“Agent Terami”)
24 interviewed the Defendant, Donovan, and additional witnesses. Agent Terami
25 learned that Cody Spencer, the Defendant, and Neil traveled to 3960 Barkes Road,
26

27
28 ² Donovan was subsequently charged with being a felon in possession of a firearm. *See* 1:16-CR-2051-RMP-1.
Donovan was released from federal custody in June 2017.

1 White Swan, Washington³. This is the same location where Metsker had been
2 murdered. Donovan ran to the car and began punching Neil through the open car
3 window. The door opened and Neil fell out of the vehicle. Neil attempted to run
4 away. Donovan began beating Neil. Neil was yelling that he was “sorry.” Due to
5 the beating, Neil was rendered unconscious. The Defendant went back to his
6 vehicle and obtained zip ties. The Defendant walked back to Neil. The Defendant
7 attempted to use the zip ties to restrain Neil. Donovan did not want Neil to escape.
8 Neil was dragged to a location near where Metsker’s trailer had been located. Neil
9 woke up, was crying, and asked Donovan to stop. Neil stated, “I didn’t do it.”
10 Donovan began stabbing Neil and slit his throat. After the murder, the Defendant
11 and Donovan dug a hole. Neil was placed in the hole. Neil’s body remained in the
12 hole for approximately 4-5 days. The body was later moved and dumped in a
13 remote location.
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19 2. The need for the sentence imposed to reflect the seriousness of the
20 offense, promote respect for the law, and to provide just punishment.

21 The current offense is serious. The government submits that a sentence of
22 168 months imprisonment, followed by five years of supervised release, will
23 promote respect for the law and provide just punishment.
24

25 3. The need for the sentence imposed to afford adequate deterrence to
26 criminal conduct.
27

28 ³ It is unknown if Neil was brought to this residence as part of a plan/scheme, or if it was coincidental.

1 The Defendant was involved in a serious and violent offense. A reasonable
2 sentence should be imposed to deter the Defendant from again engaging in similar
3 conduct.
4

5
6 4. The need for the sentence imposed to protect the public from further
7 crimes of Defendant.
8

9 A term of imprisonment is required to protect the public. The Defendant
10 assisted in restraining the victim so that he could not escape. The Defendant
11 understood that his role in the murder was to prevent the victim from fleeing. The
12 Defendant has demonstrated that he is a danger to the community.
13

14 5. The need for the sentence imposed to provide Defendant with needed
15 educational or vocational training, medical care, or other correctional
16 treatment in the most effective manner.

17 The Defendant appears to be in need of or substance abuse treatment.
18 Furthermore, the Defendant appears to be in need of additional educational and/or
19 vocational skills.
20

21 III.

22 GOVERNMENT'S SENTENCING RECOMMENDATION
23

24 Based upon the facts of the instant case, the government believes that a term
25 of confinement of 168 months, followed by 5 years of supervised release, is a
26 reasonable sentence sufficient, but not greater than necessary, to comply with the
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1 purposes set forth in 18 U.S.C. § 3553(a)(2), considering the other factors listed in
2 § 3553 (a).
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6 Respectfully submitted this 5th day of April 2019.
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8 JOSEPH H. HARRINGTON
9 United States Attorney

10
11 s/ Thomas J. Hanlon
12 THOMAS J. HANLON
13 Assistant United States Attorney
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4 I hereby certify that on April 5, 2019, I electronically filed the foregoing
5 with the Clerk of the Court using the CM/ECF which will send notification of such
6 filing to the following: Troy J. Lee
7
8

9 s\ Thomas J. Hanlon
10 THOMAS J. HANLON
11 Assistant United States Attorney
12 United States Attorney's Office
13 402 E. Yakima Ave., Suite 210
14 Yakima, WA 98901
15 (509) 454-4425
16 Fax (509) 249-3297
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